

Flynn: 'God Forgive Me' ... I Pulled the Trigger

"It was like you had no brain?"

Defense attorney Mark Sisti

"I had a brain, but I was in love."

William Flynn

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EXETER — A sobbing William Flynn spent his 17th birthday on the witness stand yesterday testifying how Pamela Smart goaded him into killing her husband and how he and a high school friend carried out the murder.

"I said, 'God forgive me' ... I pulled the trigger," Flynn said, detailing how he shot Gregory Smart in the head after he and Patrick "Pete" Randall overpowered Smart when he arrived home from work on May 1, one week before the Smarts' first wedding anniversary.

Flynn said he never wanted to kill Smart, but he carried out the crime at the request of Smart's wife, Pamela, because he didn't want to lose his first love.

"I didn't want to kill Gregg, I wanted to be with Pame (her family's spelling of her nickname)," said Flynn, as he began to cry. "That's what I had to do to be with Pame, but I didn't want to kill Gregg."

While he admitted during cross-examination by defense attorney Mark Sisti that he hated Gregory Smart and was obsessed by Pamela Smart, he stuck to his story that it was Pamela Smart who convinced him to kill her husband.

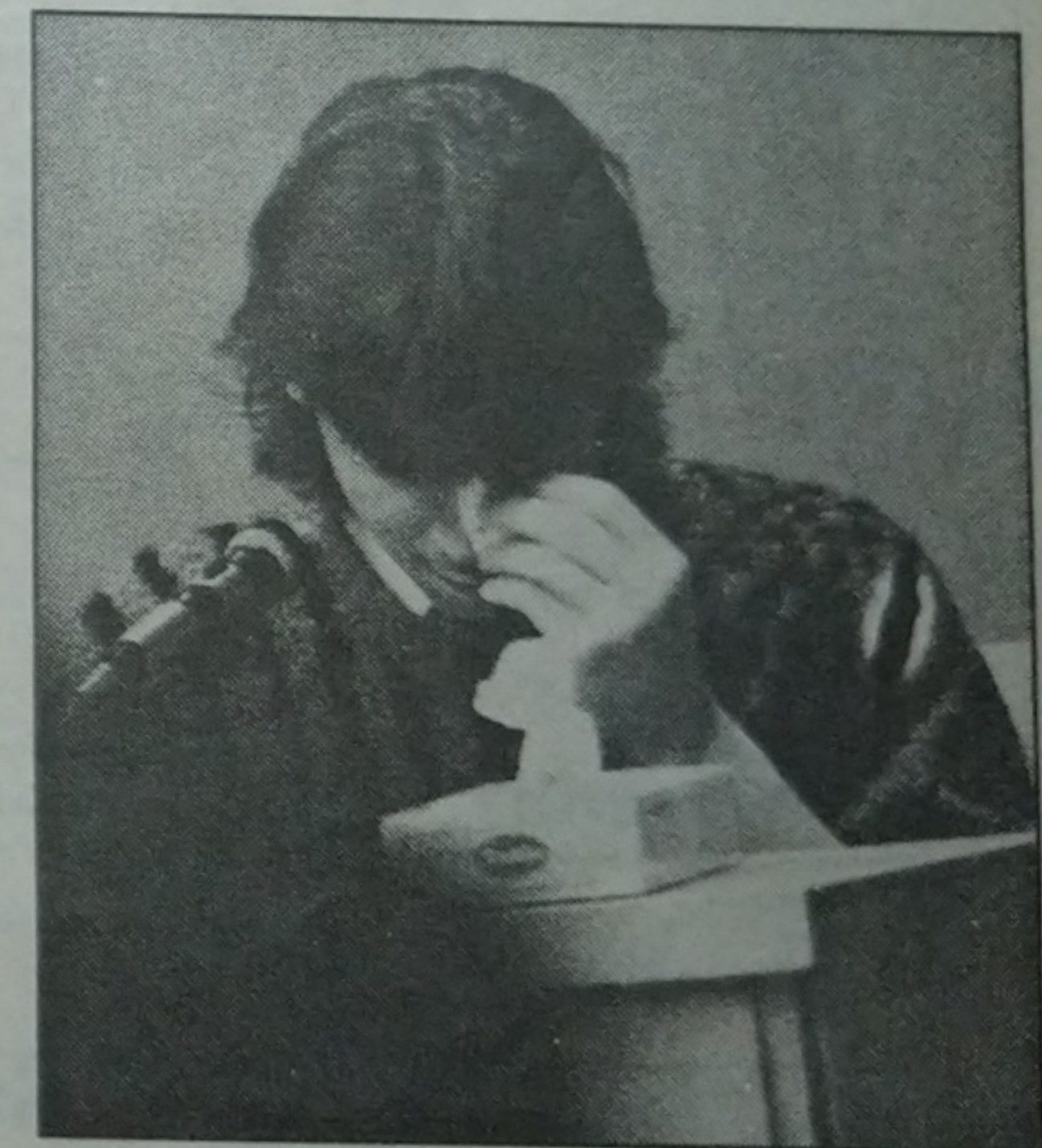
"Are you telling the jury the only reason you killed Gregg Smart was because you loved Pame?" Sisti asked.

"No, I did it because she told me to and I loved Pame," Flynn replied.

On Monday, Flynn testified that Smart seduced him and then coaxed him into killing her husband, saying that divorce would leave her nothing but his death would mean insurance money and a life with Flynn.

"I didn't kill Greg for Pame. I killed to be with Pame, because Pame threatened to break up with me," Flynn said.

"Whatever she told you to do, you would do?" Pamela Smart's defense lawyer, Mark Sisti, asked.



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WILLIAM FLYNN breaks down during his testimony about how he shot Gregory Smart.

"Yes. I probably would do it," Flynn replied.

"It was like you had no brain?"

"I had a brain," Flynn said, "but I was in love."

Smart, 23, formerly media director for SAU 21 in Hampton, is on trial in Rockingham County Superior Court on charges of conspiracy to commit murder, accomplice to murder and witness tampering in connection with the May 1 murder of her husband.

Flynn said yesterday that Smart claimed her husband abused her and once threw her out of the house into the cold when he was drunk.

She showed him a bruise allegedly caused by

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MURDER WEAPON — Assistant Attorney General Paul Maggiotto asks William Flynn to identify the gun he used to kill Gregory Smart.

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Gregory, he said.

Flynn, who is testifying as part of a plea bargain with the state, said he was reluctant to testify against Smart.

"I told her I'd never tell on her; I loved her," he said.

Wearing a red and black sweater and black pants, the teen told the jury of the events leading up to the execution-style killing of Smart at his Misty Morning Drive home.

Flynn's voice became quiet and he spoke with uncertainty as he recalled the events of May 1.

Flynn told of driving to Derry with Randall, Vance Lattime Jr. and Raymond Fowler, entering Smart's home with Randall and ransacking the house to make it appear as though a burglary had taken place.

Flynn said he and Randall discussed taking the lightbulb out of the light Smart would turn on when he came home, but they didn't, he said, because it would show the killing was premeditated instead of a spontaneous act during a burglary.

During cross examination, he admitted he had learned about concepts such as premeditation and conspiracy during a Crime and Punishment class at Winnacunnet High School.

Flynn said in order to further the appearance of a burglary, they took jewelry, but that Smart had worn all her best jewelry to work that day so they wouldn't take it.

"She showed me," he said. "She had a ring on every finger."

On the day of the murder, he said, he called Smart for a ride to Haverhill, Mass., to pick up Lattime's grandmother's car, used to drive to Derry.

He said on the way to Haverhill, he and Smart were lying together in the back of Smart's Honda CRX while Lattime drove and Randall sat in the passenger seat. She asked to look at the gun, taken from Lattime's father's collection, and he showed her, he said.

He told of how he and Randall overpowered Gregory Smart and forced him to his knees, but said he couldn't recall whether they robbed Smart before killing him as Randall testified last week.

"I wasn't in a very calm state of mind," Flynn said during cross-examination. "I was scared to death."

Still, Flynn testified he took a .38 caliber handgun, equipped with hollow point bullets from his pocket and cocked the hammer back.

"I pointed the gun to his head and just stood there," Flynn said.

Asked by Assistant Attorney General Paul Maggiotto how long he stood there, Flynn replied, "100 years, it seemed like."

Asked what happened next, Flynn broke down as he said, "I said 'God forgive me' . . . I pulled the trigger."

He said he never talked about the "power" of killing someone as Randall said he did on the ride home to Seabrook.

"I would not have said something like that," he said.

He testified about his relationship with Smart, recounting several occasions when they allegedly had sex at Salisbury reservation, in a factory parking lot and at his house.

He told of love letters they would send to each other. Some from Smart, he said, were sexually explicit.

The letters were thrown out with several items allegedly linking him to Smart just before he was arrested.

One, presented as evidence yesterday, was found in a book in his room by his mother, Flynn said.

Flynn testified it was part of a letter given to him by Smart and it contained lyrics to a song Smart said reminded her of him.

Flynn also identified duplicates of several pictures Smart gave to him. The duplicates were imperfect prints made when his neighbor Karen Knight developed film Flynn brought to her one-hour photo store.

Knight testified Monday she gave the duplicates to Flynn's mother because she felt they depicted women in "seductive poses."

Flynn said his copies of the pictures were discarded with the other items linking him to Smart.

The pictures show a smiling Smart, clad in a white bikini, striking modeling poses in an unidentified bedroom. Some of the pictures were of her friend, similarly dressed.

Flynn said he also got rid of a medallion made on Salisbury beach, reading "Bill and Pame forever." According to Flynn, Smart had one reading "Pame and Bill forever."

Flynn said that after the murder of Gregory Smart, a guidance counselor at Winnacunnet High School called him and Lattime into her office and told them of Smart's death.

She suggested, Flynn said, that they go to the funeral because they were members of the school's alcohol and drug awareness program — Project Self Esteem — which Smart worked on.

Flynn said he, Lattime and media center intern Cecilia Pierce went to the wake and played the part of consoling friends and telling Pamela Smart "we're sorry about what happened."

"Afterwards, she came up to J.R. (Lattime's nickname) and I and said, 'I can't believe you guys came to the wake,'" Flynn said.

He said he and Smart never discussed the events of May 1, but he did say that later in the month she told him she couldn't bring herself to cry. "She said she just kept asking for (her dog) Halen," he testified.